REMARKS

The Office rejects claims 1-48 in the subject application. Applicant amends claims 1, 2, 4, 5, 7, 9, 10, 11, 13, 15, 17, 18, 19, 20, 21, 22, 24, 25, 27, 29, 30, 31, 32, 34, 35, 37, 39, 40, 44, and 46. Claims 1-48 (6 independent claims; 48 total claims) remain pending in the application. Support for the amendments may be found in the originally filed specification, claims, and figures. No new matter has been introduced by these amendments. Reconsideration of this application is respectfully requested.

35 U.S.C. § 102 REJECTIONS

The Office rejects claims 1-48 under 35 U.S.C. § 102(e) as being anticipated by Lewis, U.S. Patent No. 6,513,019, issued January 28, 2003 ("Lewis"). Applicant respectfully traverses the rejection.

Lewis Reference

Lewis is limited to a data processing system for an integrated and real-time data and information consolidation and distribution solution for financial institutions. The data received from various systems and data sources is specifically defined as "relating to financial transactions, financial instruments, customers, counterparties, employees, organizational units, and financial institutions".[1] The data is converted into a common format, information is derived from the data, and the data is consolidated and integrated into a financial industry data model. The data is distributed and published for subscribers. The system provides access to this data for real-time inquiry by customers of a financial services enterprise.[2]

More specifically, the Lewis system receives stochastic data records from financial transactions, financial instruments, financial institutions, customers, and financial transaction counterparties and converts the stochastic data into a common data format in substantially real time. The Lewis system receives inquiries from customers, financial institution representatives, and financial transaction counterparties, and provides real time access to information in connection with these inquiries. A controller controls access to this information and works with various servers. An accounting information server processes messages containing transactions and derives positions, lots, and balances on trade and settlement dates based on accrual accounting. A market data information server processes messages that contain data records from

---

[1] Lewis, column 4, lines 57-59.

disparate market data sources. A calculation server performs gain/loss and financial valuations. An alert notification server alerts users when a credit limit or trading limit has been crossed. A data distribution server electronically distributes data to users on a periodic basis. A search engine server provides free-form searches against information stored in a database.[3]

Shortcomings of the Lewis Reference

The Lewis system focuses on the consolidation and integration of data for data entry, assessment, and report generation in the context of processing financial information in substantially real time. But the Lewis system fails to use a financial advice service, either in the form of a module of an application program corresponding to a financial advice service or a financial advice service in communication with an advice utility server to create financial advice applications. As such, the Lewis system uses data related to financial services to process financial information in substantially real time, but fails to teach, advise, or suggest a module of an application program corresponding to a financial advice service or a financial advice service in communication with an advice utility server to create financial advice applications. Thus, there is a clear difference between merely using data related to financial services versus providing a financial advice service a financial advice service in communication with an advice utility server to create financial advice applications.

It is important to distinguish a financial advice service from mere financial information, data, transactions, or products in connection with a financial service. The Lewis system uses financial information for consolidation and integration of data for data entry, assessment, and report generation.[4] The Lewis system has 3 categories of messages or data: financial transactions, market data updates, and customer/counterparty data updates.[5] For example, the Lewis system takes a stock option, processes the stock option as a transaction, and provides updates on a user's portfolio based on this transaction.[6] Thus, although the Lewis system may use financial information related to a financial service, it fails to teach, advise, or suggest a roadmap service configured to use financial advice services data to provide financial planning and advice, or financial advice services data related to a current financial position and at least one lifetime goal, wherein the lifetime goal is related to at least one of education, wealth

---

[2] Lewis, column 4, lines 50-67.
[3] Lewis, See, claim 1.
[4] Lewis, Abstract.
[5] Lewis, column 8, lines 55-58.
[6] Lewis, column 12, lines 17-64, Figures 8-10.

BEST AVAILABLE COPY

1505921.2

accumulation, retirement, estate planning, tax planning, survivorship, disability, and long-term care.

Accordingly, Lewis fails to teach, advise, or suggest a module corresponding to a financial advice service, financial advice services data related to a current financial position and at least one lifetime goal, wherein the lifetime goal is related to at least one of education, wealth accumulation, retirement, estate planning, tax planning, survivorship, disability, and long-term care, and a roadmap service configured to use the financial advice services data to provide financial planning and advice as recited in claim 1 (and claims 2-10, which variously depend from claim 1), claim 21 (and claims 22-30, which variously depend from claim 21), and claim 31 (and claims 32-39, which variously depend from claim 31).

Lewis also fails to teach, advise, or suggest a financial advice service in communication with an advice utility server, wherein said at least one financial advice service includes a roadmap service configured to use data defined by a current financial position and at least one lifetime goal, wherein the lifetime goal is related to at least one of education, wealth accumulation, retirement, estate planning, tax planning, survivorship, disability, and long-term care to provide financial planning and advice as recited in claim 11 (and claims 12-20, which variously depend from claim 11).

Lewis further fails to teach, advise, or suggest a roadmap service configured to use financial advice services data to provide financial planning and advice and receiving financial advice services data related to a current financial position and at least one lifetime goal, wherein the lifetime goal is related to at least one of education, wealth accumulation, retirement, estate planning, tax planning, survivorship, disability, and long-term care from said advice utility server as recited in claim 40 (and claims 41-45, which variously depend from claim 40).

Lewis also fails to teach, advise, or suggest a roadmap service configured to use financial advice services data to provide financial planning and advice and transmitting an economic group data to said plurality of financial advice services, wherein said economic group data is defined by a current financial position and at least one lifetime goal, wherein the lifetime goal is related to at least one of education, wealth accumulation, retirement, estate planning, tax planning, survivorship, disability, and long-term care as recited in claim 46 (and claims 47-48, which variously depend from claim 46).

BEST AVAILABLE COPY

Thus, Lewis fails to teach, advise, or suggest one or more of the claimed elements, so that claims 1-48 are patentable over Lewis.

CONCLUSION

Thus, the Applicant respectfully submits that the present application is in condition for allowance. Reconsideration of the application is thus requested. Applicant invites the Office to telephone the undersigned if he or she has any questions whatsoever regarding this Response or the present application in general.

Respectfully submitted,

By: _S. Shah 8-9-04_

Shahpar Shahpar
Reg. No. 45,875

SNELL & WILMER L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, Arizona 85004-2202
Phone: (602) 382-6306
Fax: (602) 382-6070
Email: sshahpar@swlaw.com

1505921.2